

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
No. 25-cv-22896-KMW**

FRIENDS OF THE EVERGLADES, INC., et al.,

Plaintiffs,

v.

KRISTI NOEM, et al.,

Defendants.

DEFENDANT FDEM’S NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant FDEM submits this notice of supplemental authority. FDEM has asserted that this Court should resolve venue before the merits and that venue is improper even if the facility causes effects in this District. *E.g.*, Doc. 65 at 5-10. Judge Ruiz recently agreed and transferred a TNT detention-facility case to the Middle District. Ex. 1 (*C.M. v. Noem*, No. 25-cv-23182 (S.D. Fla.), Doc. 86).

First, Judge Ruiz declined to resolve the preliminary-injunction motion “before addressing venue.” *Id.* at 33 n.14. Judge Ruiz held venue “is a statutory requirement” that must precede the merits so as not to “circumvent the federal venue statutes.” *Id.* Judge Ruiz also distinguished this Court’s TRO order given the “distinct procedural posture” of TRO proceedings. *Id.*

Second, Judge Ruiz held venue was improper for the State Defendants because they committed no substantial acts or omissions in this District. *See id.* at 38-46. The alleged wrong—impeding access to clients and counsel—occurred “at the facility,” and potential effects in this District were not considered. *Id.* at 40-46.

Two Judges in this District have now transferred facility-related matters to the Middle District. *See* Doc. 65 at 1. This Court should, too.

Dated: August 20, 2025

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capacity as Executive Director of the Florida
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CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2025, the foregoing was filed with the Clerk of Court using CM/ECF, which will serve a Notice of Electronic Filing on all counsel of record.

s/ Jesse Panuccio
Jesse Panuccio